

## **STATEMENT OF ECONOMIC IMPACT TO SMALL BUSINESSES**

- 1. Name of Board, Committee or Council:** Tennessee Medical Laboratory Board
- 2. Rulemaking hearing date:** December 19, 2006
- 3. Types of small businesses that will be directly affected by the proposed rules:**
  - (a) Continuing education course providers; and
  - (b) Licensees and groups of licensees who provide medical laboratory services as an independent contractor rather than as an employee; and
  - (c) Medical laboratories who employ licensees or who hire licensees as independent contractors.
- 4. Types of small businesses that will bear the cost of the proposed rules:**
  - (a) Continuing education course providers; and
  - (b) Licensees and groups of licensees who provide medical laboratory services as an independent contractor rather than as an employee; and
  - (c) Medical laboratories who employ licensees or who hire licensees as independent contractors.
- 5. Types of small businesses that will directly benefit from the proposed rules:**
  - (a) Licensees and groups of licensees who provide medical laboratory services as an independent contractor rather than as an employee; and
  - (b) Medical laboratories who employ licensees or who hire licensees as independent contractors.
- 6. Description of how small business will be adversely impacted by the proposed rules:**

The proposed unethical conduct rule may eliminate activities that were beneficial from a profit/loss perspective.
- 7. Alternatives to the proposed rule that will accomplish the same objectives but are less burdensome, and why they are not being proposed:**

It would be less burdensome to not promulgate the proposed new rule regarding unethical conduct, but this would be contrary to the Board's mission of protecting the health, safety, and welfare of the citizens of Tennessee.

**8. Comparison of the proposed rule with federal or state counterparts:**

The Board is not aware of any federal counterparts. The proposed new rule regarding unethical conduct is similar to current rules and/or statutes for the Board of Nursing, the Committee of Physical Therapy, and the Board of Dentistry.